

## II. General Remarks Concerning This Response

Claims 1, 2, 5-10, 13-18, and 21-24 are currently pending in the present application. Claims 1, 5-9, 13-17, and 21-24 have been amended; no claims have been added; and claims 3, 4, 11, 12, 19, and 20 have been canceled in this response. Reconsideration of the claims is respectfully requested.

Applicant notes that the Office action acknowledged the informal drawings that were filed on 12/15/2000 with the patent application. However, a set of formal drawings were filed with the PTO on 06/04/2001. Applicant requests an acknowledgment of the receipt of the formal drawings and an indication of whether or not the formal drawings were acceptable.

## III. 35 U.S.C. § 102(b)-Anticipation-Arndt et al.

The Office action has rejected claims 1, 2, 9, 10, 17, and 18 under 35 U.S.C. § 102(b) as anticipated by Arndt et al., "Method of configuring a valid IP address and detecting duplicate IP addresses in a local area network", U.S. Patent No. 5,724,510, filed 09/06/1996, issued 03/03/1998. This rejection is respectfully traversed.

Each of the independent claims has been amended to include features from the dependent claims. The obviousness rejection within the Office action states on page 3: "However Arndt does not detail requiring means for requiring the user to enter a virtual private network identifier (VPN ID) to be associated with the target device." Hence, all of the independent claims now include features that the Office action admits are not disclosed in Arndt et al..

Arndt et al. clearly does not disclose features as required by the language of the claims of the present application. As stated at MPEP § 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Hence, for this and other reasons, Arndt et al. cannot be used as an anticipatory reference, and the rejection of the claims has been overcome, whereby Applicant requests the withdrawal of the rejection.

#### IV. 35 U.S.C. § 103(a)—Obviousness—Arndt in view of Philippou

The Office action has rejected claims 3-8, 11-16, and 19-24 under 35 U.S.C. § 103(a) as unpatentable over Arndt et al. in view of Philippou et al., "Method for initializing a box on a data communication network", U.S. Patent Number 6,385,648 B1, filed 11/02/1998, issued 05/07/2002. This rejection is traversed.

Each of the independent claims has been amended to include features from dependent claims 3 and 4 for the method claims, from dependent claims 11 and 12 for the apparatus claims, and from dependent claims 19 and 20 for the computer program product claims. The obviousness rejection within the Office action states on page 3: "However Arndt does not detail requiring means for requiring the user to enter a virtual private network identifier (VPN ID) to be associated with the target device. Hence, all of the independent claims now include features that the Office action admits are not disclosed in Arndt et al.."

The obviousness rejection within the Office action states on page 4: "As per claim 12, Arndt-Philippou disclose generating means for generating a modified system address for the target device based on the entered VPN ID and other system address information for the target device as inherent feature of entering the network ID." The Office action implicitly admits that

neither Arndt et al. nor Philippou et al. disclose the claimed feature by stating that it is an inherent feature of a hypothetical combined system based on the teachings of Arndt et al. and Philippou et al. as discussed with respect to claim 11.

5 However, Applicant asserts that the rejection has merely ignored a significant feature of the claimed invention by merely stating that it would be inherent in a hypothetical combined system. The two features of "requiring the user to enter a virtual private network identifier (VPN ID) to be associated with the target  
10 device" and "generating a modified system address for the target device based on the entered VPN ID and other system address information for the target device" are clearly distinct features. The act of entering a VPN ID does not inherently require the following step of generating a new system address for a device  
15 based on the VPN ID, particular when considered in combination with the previous step in which a determination has been made that a second device within the distributed data processing system has a network address that duplicates the network address of the target device. Hence, all of the independent claims now  
20 include features that the Office action admits are not disclosed in Arndt et al. nor in Philippou et al..

Arndt et al. and Philippou et al. clearly fail to disclose at least one feature of the present invention as recited within each independent claim, notwithstanding the anticipation and the  
25 obviousness arguments presented by the Office action, thereby rendering Arndt et al. and Philippou et al. incapable of being used as primary and secondary references as argued by the current rejection. Moreover, a hypothetical combination of Arndt et al. and Philippou et al. would also fail to reach the claimed  
30 invention of the present patent application. As should be recognized, because both the primary and secondary references in the rejection fail to disclose the claimed features against which the references were applied, and because the references fail to

be combinable to produce these claimed features, the rejection fails to fulfill the requirements of a proper obviousness argument.

With respect to the claims of the present patent application, Applicant respectfully submits that it would not have been obvious for one having ordinary skill in the art to have used the applied prior art references to reach the claimed invention. Hence, a rejection of the claims cannot be based upon the cited prior art to establish a *prima facie* case of obviousness. Therefore, a rejection of claims 3-8, 11-16, and 19-24 under 35 U.S.C. § 103(a) has been shown to be insupportable in view of the cited prior art, and the claims are patentable over the applied references. Applicant respectfully requests the withdrawal of the rejection of claims 3-8, 11-16, and 19-24.

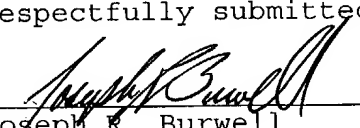
V. Conclusion

It is respectfully urged that the present patent application is patentable, and Applicant kindly requests a Notice of Allowance.

For any other outstanding matters or issues, the examiner is urged to call or fax the below-listed telephone numbers to expedite the prosecution and examination of this application.

DATE: September 9, 2004

Respectfully submitted,

  
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